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8 **UNITED STATES DISTRICT COURT**
DISTRICT OF NEVADA

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 vs.

12 NICHOLAS LEWIS,

13 Defendant.
14

Case No. 2:18-cr-00238-RFB-CWH

Stipulation to Continue the
Response and Reply to the Defendant's
Motion to Suppress (Second Request)

15 IT IS HEREBY STIPULATED AND AGREED, by and between NICHOLAS A.
16 TRUTANICH, United States Attorney, and CHRISTOPHER BURTON, Assistant United
17 States Attorney, counsel for the United States of America, and WILLIAM TERRY, ESQ., and
18 YI LIN ZHENG, ESQ., counsel for Defendant NICHOLAS LEWIS, that the deadline for the
19 response to the Motion to Suppress Evidence, currently scheduled for January 28, 2019, and the
20 deadline for the reply, currently scheduled for February 4, 2019, be continued for sixty days.

21 IT IS STIPULATED AND AGREED, that the government shall have to and including
22 March 28, 2019, to file any response to the pending Motion to Suppress.

23 IT IS FURTHER STIPULATED AND AGREED, that the defendant herein shall have
24 to and including April 4, 2019, to file any reply in support of the Motion to Supress.

1 This stipulation is entered into for the following reasons:

2 1. Counsel for the government has extended an offer to resolve the case short of
3 litigating the pending Motion to Suppress and Lewis has indicated he will accept the offer. The
4 parties need additional time to finalize the proposed negotiation and put the matter on for a
5 change of plea, which would render the pending Motion to Suppress moot.

6 2. If the parties fail to resolve the case through negotiation, the additional time is
7 necessary for the parties to prepare the written pleadings and litigate the Motion to Suppress.

8 3. The parties agree to the continuance.

9 4. The defendant is currently released on conditions pending trial and does not object
10 to a continuance.

11 5. This is the second stipulation to continue the pleadings deadline filed herein.

12
13 DATED this 28th day of January, 2019.

14 Respectfully submitted,

15 NICHOLAS A. TRUTANICH
16 United States Attorney

17
18 //s//
19 WILLIAM TERRY, ESQ.
20 YI LIN ZHENG, ESQ.
21 Counsel for Defendant
22 NICHOLAS LEWIS

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18 //s//
19 CHRISTOPHER BURTON
20 Assistant United States Attorney

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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

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UNITED STATES OF AMERICA,

2:18-cr-00238-RFB-CWH

Plaintiff,

vs.

ORDER

NICHOLAS LEWIS,

Defendant.

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. Counsel for the government has extended an offer to resolve the case short of litigating the pending Motion to Suppress and Lewis has indicated he will accept the offer. The parties need additional time to finalize the proposed negotiation and put the matter on for a change of plea, which would render the pending Motion to Suppress moot.

2. If the parties fail to resolve the case through negotiation, the additional time is necessary for the parties to prepare the written pleadings and litigate the Motion to Suppress.

3. The parties agree to the continuance.

4. The defendant is currently released on conditions pending trial and does not object to a continuance.

5. This is the second stipulation to continue the pleadings deadline filed herein.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the deadlines for the government's response and the defendant's reply to the pending Motion to Suppress.

1 **ORDER**

2 IT IS THEREFORE ORDERED, that the government shall have to and including March
3 28, 2019, to file any and all responsive pleading to the Motion to Suppress.

4 IT IS FURTHER ORDERED, that the defendant shall have to and including April 4,
5 2019, to file any replies in support of the Motion to Suppress.

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7 DATED 8th day of February, 2019.

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9 THE HONORABLE RICHARD F. BOULWARE II
10 UNITED STATES DISTRICT JUDGE
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